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March 10, 2023

**DELIVERED VIA ECF**

Honorable Mary Kay Vyskocil  
United States District Court  
Southern District of New York  
500 Pearl St., Courtroom 18C  
New York, NY 10007-1312

**Case Title: *Itasca Images, LLC v. Pond5, Inc., et al.*, 1:22-cv-00736-MKV**  
**Re: Request to Extend Dismissal Deadline**

Your Honor:

As you know, this office represents Plaintiff, Itasca Images LLC (“Itasca”), in the above-referenced case. We write, pursuant to the Court’s August 10<sup>th</sup>, November 3<sup>rd</sup>, and January 9<sup>th</sup> orders, to respectfully request an extension of the deadline for dismissal, which is currently set for March 10, 2023. ECF No. 28.

The parties’ last update to the Court advised that finalizing the settlement agreement was delayed by other litigation, as after this case was filed, the defendant Pond5, Inc. was acquired by Shutterstock, Inc., which Plaintiff had already been in litigation with in the District of Minnesota. See *Itasca Images, LLC, et al., v. Shutterstock, Inc., et al.*, Case No. 21-cv-287 (D.Minn.). The agreement in principle between Plaintiff and Shutterstock, Inc. would also resolve this litigation.

Plaintiff and counsel for Shutterstock, Inc. have participated in two settlement conferences before Magistrate Judge David T. Schultz in the District of Minnesota and are close to resolving the last remaining issues. As such, the parties believe there is good cause in extending the deadline set by the Court’s January 9<sup>th</sup> order by an additional 30 days, to April 10, 2023. There have been two previous requests to extend the dismissal deadline, which were granted. Defendant Pond5, Inc. consents to this request.

We thank the Court for its consideration of this request.

Respectfully submitted,

By: /s/ Laura M. Zaharia  
Scott Alan Burroughs  
Laura M. Zaharia  
DONIGER / BURROUGHS  
For the Plaintiff

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Honorable Mary Kay Vyskocil, U.S.D.J.